

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ALLIANZ GLOBAL INVESTORS GMBH et al.,

Plaintiffs,

v.

BANK OF AMERICA CORPORATION et al.,

Defendants.

No. 1:18-cv-10364 (LGS) (SDA)

ORAL ARGUMENT REQUESTED

**NOTICE OF MUFG BANK, LTD.’S AND RBC DEFENDANTS’
MOTION TO DISMISS THE THIRD AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of MUFG Bank, Ltd.’s and the RBC Defendants’ Motion to Dismiss the Third Amended Complaint, and the accompanying declaration of Jonathan D. Perry, defendants MUFG Bank, Ltd. (“MUFG”) and Royal Bank of Canada (“RBC”) will move this Court, before the Honorable Lorna G. Schofield, on a date and at a time to be determined by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, for an Order dismissing all claims asserted against them in the Third Amended Complaint (“TAC”) in the above-referenced action for lack of personal jurisdiction, in accordance with Rule 12(b)(2) of the Federal Rules of Civil Procedure, and denying Plaintiffs leave to amend. In addition, defendant RBC Capital Markets, LLC (“RBCCM,” together with RBC, the “RBC Defendants”), will move this Court for an Order dismissing with prejudice all claims asserted against it in the TAC in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that if the Court concludes that personal jurisdiction does exist, RBC also respectfully requests that the Court enter an order dismissing with prejudice all claims asserted against it in the TAC in accordance with Rule 12(b)(6) of the Federal Rules of

Civil Procedure, and, in the alternative, the RBC Defendants and MUFG request that the Court dismiss the following claims in the TAC with prejudice: (1) the Foreign Plaintiffs' claims; (2) claims by the 159 Plaintiffs listed in Appendix A to the accompanying Memorandum of Law; and (3) Plaintiffs' unjust enrichment claims under New York law.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's September 14, 2020 Order (ECF 531), Plaintiffs shall file any response to this motion no later than October 26, 2020, and Defendants shall file any reply in support of this motion no later than November 5, 2020.

PLEASE TAKE FURTHER NOTICE that Defendants respectfully request oral argument in connection with this motion.

Respectfully submitted, this 5th day of October, 2020,

PAUL, WEISS, RIFKIND, WHARTON &
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